

Appl. No. 10/615,161
Amdt. sent January 14, 2005
Amendment under 37 CFR 1.116 Expedited Procedure
Examining Group

PATENT


REMARKS/ARGUMENTS

Claims 13 and 21-24 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-5 of U.S. Patent No. 6,612,488.

The pending application the cited U.S. patent are commonly owned. An appropriate terminal disclaimer is submitted herewith to overcome the non-statutory double patenting rejection.

The Application is believed to be in condition for allowance and an action to that end is respectfully requested. If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,


George B. F. Yee
Reg. No. 37,478

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 650-326-2400
Fax: 415-576-0300
GBFY:cmm
60347304 v1